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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

RAMIREZ, RAMON O

ART UNIT

PAPER NUMBER

3632

MAIL DATE

DELIVERY MODE

07/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Detailed Action

This is the second Office Action corresponding to amendment filed May 13, 2008. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Europe on June 25, 2003. It is noted, however, that applicant has not filed a certified copy of said application as required by 35 U.S.C. 119(b).

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

- (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A “Sequence Listing” is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required “Sequence Listing” is not submitted as an electronic document on compact disc).

The instant specification lacks the above headers. Applicant must comply with this; it is not Applicant's choice. The examiner faced a similar situation in a different application and after consulting with his then SPE, the examiner was directed to repeat the request.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (Pat No 6,254,044). The patent to Lee discloses a support (14), legs (16), journal (164), housing (10) and coupling (104).

Claim Rejections - 35 USC § 103

Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee. As to claim 2, it only requires a reversal of parts to meet the limitation of the claim,

which is obvious to one skilled in the art. As to claim 3, the stand shown by Lee can be used with an irradiation device.

Allowable Subject Matter

Claims 3, 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9-11 are allowed.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. The new limitation in claim 1 does not overcome the former rejection. Lee shows the legs 16 resting on the same plane on both the rest position (Fig 2) and the operational position (Fig 6), while the support (14) changes from a parallel position to the legs (Fig 2) to an away position (Fig 6).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMON O. RAMIREZ whose telephone number is (571) 272-6821. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen Shriver can be reached on (571) 272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RAMON O. RAMIREZ/
Primary Examiner, Art Unit 3632

ROR
July 23, 2008